

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUSTIN CARTIER,)	4:08CV3162
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
NEMAHA COUNTY JAIL,)	
)	
Respondent.)	

This matter is before the court on its own motion. On July 30, 2008, the court received a letter from Petitioner Justin Cartier. In this letter, Petitioner stated that he was “putting in a writ of habeas corpus . . .” ([Filing No. 1](#) at CM/ECF p. 1.) Thus, the court elected to provisionally file the letter as a Petition for Writ of Habeas Corpus. ([Filing No. 1](#).) However, due to certain technical defects, the Petition cannot be processed. To assure further consideration of the Petition, Petitioner must correct the defects listed below. **FAILURE TO CORRECT THE DEFECT MAY RESULT IN DISMISSAL OF THE PETITION.**

Petitioner has failed to include the \$5.00 filing fee. Petitioner has the choice of either tendering the \$5.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Petitioner chooses to do the latter, the enclosed pauper’s forms should be completed and returned to this court.

The court also notes that Petitioner failed to inform the court of his address. However, Petitioner states that he is currently being held in the Nemaha County Jail. ([Filing No. 1](#).) Thus, the Clerk of the court is directed to send a copy of this Memorandum and Order along with the Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit, to Petitioner at the Nemaha County Jail.

IT IS THEREFORE ORDERED that:

1. Petitioner is directed to correct the above-listed technical defects in the Petition on or before **September 18, 2008**.

2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.

3. The Clerk of the court is directed to send a copy of this Memorandum and Order, and the Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit, to Petitioner at the Nemaha County Jail.

4. Petitioner shall keep the court informed of his current address at all times while this case is pending. **Failure to do so may result in dismissal without further notice.**

August 18, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge